

**MINUTES OF THE SPECIAL MEETING  
OF THE LA SALLE CITY COUNCIL  
HELD IN THE COUNCIL CHAMBERS,  
745 SECOND STREET, LA SALLE, IL.  
6:30 P.M., Monday, March 17, 2020**

**CALL TO ORDER**

The meeting was called to order at 6:30 p.m. by Mayor Jeff Grove.

**PLEDGE OF ALLEGIANCE****ROLL CALL**

**Present-** Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Jeppson, Herndon, Crane

**Excused Absent-** None

Mayor Grove thanked John Duncan, Leah Inman, Chief Bacidore, City Clerk Brown and the Police and Fire Departments for their efforts to get the latest updates and communicate them in order to best serve our constituents while at the same time protecting our own employees. We are trying to continue business as usual in this unprecedented situation. Mayor Grove stated that in his 49 years, he cannot remember anything of this magnitude other than 9-11. In that situation it was a disruption for several weeks, where in this situation there are so many unknowns and so much going on that things change from one day to the next. Mayor Grove indicated that we receive daily updates from the Illinois Municipal League and the Governor's office. He thanked everyone for their flexibility. Mayor Grove stated that there is a cost to this situation beyond the most important cost which is the health of our citizens, but things such as sales tax issues and the losses our small businesses will incur are other costs. If we get to the point where we have to declare an emergency, in order to be reimbursed by FEMA for these types of lost revenues, the passage of the ordinance under consideration this evening is a necessary step.

Mayor Grove thanked Attorney Jim McPhedran for being on the forefront of this issue and for all the work he has done. Mayor emphasized that we are all in this together. He thanked the leaders of La Salle, Peru, Oglesby, Spring Valley and Utica, as well as Mendota and the City Attorneys who have worked together and shared information to come up with a plan for the Illinois Valley/Starved Rock Country area. Mayor stated the cities will continue to work together to try and "flatten the curve".

Mayor Grove explained that the City has a Regular Council meeting scheduled for Monday, March 23rd, but at this time cities have been given the option to delay, cancel or hold meetings via conference call. Mayor Grove stated that a decision on that matter has not been made at this time.

**READING OF THE CALL**

City Clerk Carrie Brown then read the call being "The discussion and potential action on an Ordinance Pertaining to Local State of Emergency and to address any matters that may come up in discussion related to COVID-19 and any and all other matters related thereto."

Moved by Alderman Herndon and seconded by Alderman Lavieri to accept the call as read by the City Clerk.

**ROLL CALL:** AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Jeppson, Herndon, Crane

NAY: None Absent: None Abstain: None

**Motion carried 8-0**

Attorney McPhedran explained that the central purpose of this evening's Special Meeting as the joint press release indicated, the City of La Salle and surrounding communities in the Illinois Valley/Starved Rock Country area are being proactive to have an ordinance in place to be prepared to protect the

citizens, from a local standpoint, in the event a need should arise. As the Mayor has indicated, **it is not the intention by the passage of this ordinance**, that the Mayor is going to declare an emergency this evening or tomorrow, but instead to be prepared should the need arise. He continued by explaining that this action shows that the local government and the leaders the public has elected are doing the best they can from a local standpoint to stay on top of the situation. The goal is to provide service to their constituents and to protect their safety and health foremost. Attorney McPhedran continued by saying that in this regard, as the Mayor has indicated, there is communication going on between the surrounding communities. The City is trying to provide full transparency and keep an open line of communication with the media and the public. The content of the ordinance under consideration came from the Illinois Municipal League and it was suggested that all municipalities pass or give consideration to passing an ordinance in order to be prepared at the local level. Attorney McPhedran stated that clearly at the local level we do not know all the science that others in state and national government may be aware of, but we are trying to stay vigilant and aware in order to be prepared. The ordinance allows the Mayor, if the need arises in his opinion, to declare an emergency and outlines other steps that can be taken in regard to that, however there are also protections and safeguards included. The ordinance contains a provision that in the event an emergency is declared, within 24 hours or as soon as reasonably possible, a Special Meeting of the City Council must be held to discuss the reasons of the emergency declaration and the courses of action that can be taken. Those courses of action are outlined in the ordinance. Attorney McPhedran stated that no one at this time knows what actions would be taken, as this situation is fluid and an ever-evolving situation that we must be sensitive to in order to protect the health of all of us. He made mention of the seating arrangement for this meeting, where everyone was spaced 6 feet apart. Attorney McPhedran explained that some may believe the recommendations are an over-reaction, but the science is telling us it is necessary and we need to respect that. Safety and health are most important. If a state of emergency is declared, in addition to holding a meeting within 24 hours, the emergency is not to last longer than a week or whenever the next City Council meeting is scheduled whichever is shorter, unless it is extended by the entire City Council.

There are provisions within the ordinance to be proactive, while at the same time protect the citizens and the public in general. The ordinance is sensitive to the point that emergency declarations are not to be taken lightly or declared easily. Alderman McPhedran stated that each alderman was provided a copy of the ordinance for their review and in the spirit of transparency the draft ordinance was posted on the city's website and provided to members of the media.

Mayor Grove stated that anyone who would like a copy of the ordinance can get a copy. Mayor Grove asked if it was necessary to read the entire ordinance aloud. Attorney McPhedran stated that he did not believe it was necessary to read all four pages of the ordinance aloud, as all cities have made the ordinance public to show transparency by posting it on our website and providing it to the media. He explained that as long as each and every alderman has a copy, they have the right to waive the reading of the entire document. He added that although it is not required, there is an informal agreement between the surrounding communities that if one community decides to declare an emergency, they will notify the other communities. However, each City Council will have to make decisions for their own community. This is another indication that the communication is intended to freely and transparently flow to each other and to the public.

Alderman Herndon asked if the ordinances in other communities mirror this one. Attorney McPhedran stated that the substantive provisions of all the ordinance mirror each other. Some have certain procedural changes because some of the communities are not home rule and some provision are peculiar to certain communities.

Alderman Ptak asked if this ordinance allows our local mayors to declare a State of Emergency even if the Governor does not. Attorney McPhedran confirmed this to be correct. Attorney McPhedran explained that this ordinance does not only apply to this current situation, it applies to other situations that could arise in the future such as a tornado, major issue with a water plant or other calamity. Again, he reiterated that an emergency can only be declared for a short time unless affirmed by the full City Council. Attorney McPhedran stated that when drafting this ordinance, it was felt to be important to have a collaborative effort with other communities.

It was then moved by Alderman Reynolds and seconded by Alderman Jeppson to accept and place on file **Ordinance 2871**: Pertaining to Local State of Emergency. Each and every alderman has a copy.

**ROLL CALL:** AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Jeppson, Herndon, Crane  
NAY: None Absent: None Abstain: None

**Motion carried 8-0**

**Ordinance 2871:  
Pertaining to Local State  
of Emergency**

Mayor Grove stated for the record that he would not declare a State of Emergency without touching base with all the City Council members and Attorney McPhedran. Mayor Grove also indicated he would contact other surrounding communities as they may have additional information we may not have and vice versa.

Mayor Grove said in the most recent email received today it was indicated that the Governor has been in communication with the White House regarding a possible declaration of emergency.

As far as the City of La Salle, Mayor Grove assured residents there will be no late fees or shut-offs in regard to water. The goal of this is to keep people from having to interact at City Hall and to allow residents to stay home and stay healthy. He stated that our Public Works staff will not be going out on water meter issues at this time if they can be dealt with at another time. Mayor thanked the council and stated that we will continue to work together as this is not something to be taken lightly. Mayor Grove explained that as we are made aware of any further state mandates, we will continue to get the word out through the "all call" system, Facebook, our website and the media. As of today, Mayor Grove said that we have not heard any further restrictions other than what has already been made public.

Mr. Jeff Hoos, restaurant owner, asked for clarification as to what "take out" is so the public understands. He stated that the Governor said it was curbside only, however the Secretary of State indicated that you can walk in, but you cannot stay seated to eat. Mayor Grove responded by saying that was his understanding as well. Mr. Hoos stated that they have been allowing customers to come in to get an order, but not stay to eat. Cathy Tomlinson also added that no more than 10 people can be in an establishment at one time. Mr. Hoos then stated that some customers have phoned in orders but think they have to wait outside for it to be brought to them. Overall, he indicated that in his view there seems to be confusion and hoped the City could aid in clarifying the rules for the public. Leah Inman stated that she will get clarification and post the information this evening. Attorney McPhedran indicated that he has heard both scenarios as well. Mr. Hoos stated that he is trying to get the word out on their restaurant's Facebook page to clarify the information to customers. Attorney McPhedran stated that the News Tribune and possibly radio also has a listing of various restaurants with carry-out/curbside service.

Mayor Grove said some of the rules set in place are difficult to police, but at this time the City is concerned with gatherings. Mayor said it is not worth for bar or restaurant owners to close their doors and then have patrons sneak through the back door. Alderman Demes asked how we are policing this. Mayor Grove said we are checking on this and will pull liquor licenses if bars/restaurants are in violation.

Alderman Demes asked if it is allowed to have a drink in a restaurant/bar while waiting for a food pick-up. Mayor Grove said that would not be allowed and did not feel it was worth to push any of these restrictions because of the repercussions that could come.

Mayor Grove reiterated that everyone needs to recognize that this is a unique situation and it needs to be taken seriously as we have never seen anything of this scale before.

Alderman Herndon cited an example of a time when the City had to take necessary steps to protect its citizens even when it was not a decision that made everyone happy. He used an example that happened during the very early months of Mayor Grove's first term when Chief Andy Bacidore made the decision to close down Celebrate La Salle at Hegeler Park due to possible severe weather. Although it was not a decision that made everyone happy, Andy chose to do what was best for the safety of the citizens. Alderman Herndon said in this current situation, we must trust our services people to make decisions.

Andy Bacidore reassured the public that passing this ordinance is the proper procedure and the right thing to do. He said that there have been disasters in our area where these same types of procedures took place, but it was done quickly because it had to be. In this situation, the City is being pro-active so that in the event a state of emergency needs to be declared now or in the future, the initial step has been taken care of. Mayor Grove agreed and said it is now part of our procedures for now and the future.

## **COMMENTS**

La Salle resident Cathy Tomlinson thanked the City Council for working diligently to protect us and our community and Attorney McPhedran for all his research. She said we are in good hands. Mayor Grove said we are trying and learning. Attorney McPhedran stated we are doing the best we can. She responded, "that is all we can ask for."

Alderman Lavieri stated that the viruses do not understand loopholes, you have to follow the spirit of what is intended.

Mayor Grove thanked the press for being in attendance as it is also a busy election night.

There were no additional comments.

## **ADJOURNMENT**

Moved by Alderman Reynolds and seconded by Alderman Ptak to adjourn the meeting.  
Voice vote, all ayes. Motion is carried.

**ADJOURNED** 6:55 p.m.



Carrie Brown, City Clerk